

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
Kelechi Linardon,	)	
Plaintiff,	)	
	)	Civil Action No.
v.	)	22-11834-NMG
	)	
Boston Housing Authority,	)	
Defendant.	)	
_____	)	

ORDER

GORTON, J.

On November 12, 2025, defendant's motion to dismiss was allowed and the claims of plaintiff were dismissed without prejudice. (Docket No. 58). Now pending before the Court is plaintiff's motion for return of the filing fee, or in the alternative, for leave to refile without payment of fees. (Docket No. 60).

The plaintiff's motion will be denied because there is no basis to refund the filing fee to plaintiff. The appropriate time to seek in forma pauperis status is at the time the fee in question is due and it is not the Court's practice to reimburse a filing fee once it has been paid.

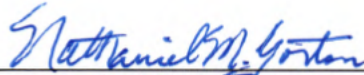
A plaintiff filing a civil action either must pay \$350.00 filing fee and the \$55.00 administrative fee, see 28 U.S.C. § 1914(a) (\$350.00 filing fee for all non-habeas civil actions), or file a motion for leave to proceed without prepayment of the filing fee, see 28 U.S.C. § 1915 (proceedings in forma

pauperis). Here, the Court's records indicate that plaintiff paid the \$402.00 filing fee for this action. (Docket No. 4). There is no basis to issue a refund.

As to plaintiff's request for leave to file without payment of fees, such request will be denied. If plaintiff elects to file a new action and seek in forma pauperis status, plaintiff must submit an affidavit that includes a statement of all plaintiff's assets. See 28 U.S.C. § 1915(a)(1). For the convenience of litigants, this Court provides a form application to seek leave to proceed in forma pauperis.

Accordingly, the Court hereby DENIES the motion (Docket No. 60) for return of the filing fee, or in the alternative, for leave to refile without payment of fees.

**So ordered.**

  
\_\_\_\_\_  
Nathaniel M. Gorton  
United States District Judge

Dated: 02/04/2026